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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MICHAEL GARCIA, ET AL.,  
  
Defendants.

CASE NO. 2:20-CR-00181-JAM  
  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER  
  
DATE: October 4, 2022  
TIME: 9:00 a.m.  
COURT: Hon. John A. Mendez

**STIPULATION**

1. By previous order, this matter was set for status on October 4, 2022.
2. By this stipulation, defendants now move to continue the status conference until December 13, 2022, at 9:00 a.m., and to exclude time between October 4, 2022, and December 13, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes over 50 gigabytes of evidence in electronic form, including multiple hours of covert recordings, pictures, investigative reports, and related documents. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.
  - b) Mr. Garcia requires additional time to review the discovery, investigate and possible defenses, research potential pretrial motions, and explore potential resolutions to the

1 case, and otherwise prepare for trial. Prior defense counsel for Mr. Garcia, Lexi Negin, recently  
2 retired. New defense counsel for Mr. Garcia, Hootan Baigmohammadi, needs additional time to  
3 familiarize himself with the case.

4 c) Counsel for Mr. Garcia believes that failure to grant the above-requested  
5 continuance would deny them the reasonable time necessary for effective preparation, taking into  
6 account the exercise of due diligence.

7 d) Neither Mrs. Garcia nor the government object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the  
9 case as requested outweigh the interest of the public and the defendant in a trial within the  
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
12 et seq., within which trial must commence, the time period of October 4, 2022 to December 13,  
13 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
14 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
15 of the Court's finding that the ends of justice served by taking such action outweigh the best  
16 interest of the public and the defendant in a speedy trial.

17 g) Additionally, an exclusion of time under the Speedy Trial Act as to defendant  
18 Nancy Garcia is also appropriate pursuant to 18 U.S.C. § 3161(h)(6) [Local Code R] because she  
19 is an un-severed co-defendant.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: September 28, 2022

PHILLIP A. TALBERT  
United States Attorney

/s/ ADRIAN T. KINSELLA  
ADRIAN T. KINSELLA  
Assistant United States Attorney

Dated: September 28, 2022

/s/ HOOTAN BAIGMOHAMMADI  
HOOTAN BAIGMOHAMMADI  
Counsel for Defendant  
MICHAEL GARCIA

Dated: September 28, 2022

/s/ MICHAEL D. LONG  
MICHAEL D. LONG  
Counsel for Defendant  
NANCY GARCIA

**ORDER**

IT IS SO FOUND AND ORDERED this 28<sup>th</sup> day of September, 2022.

/s/ John A. Mendez  
THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE